



## **UST and SAF Bulletin**

Arizona Department of Environmental Quality

**Subject: Federal Energy Bill - Arizona Implementation Plan Underground Storage Tank Compliance Act**

**Effective: August 8, 2005**

**Item: 06-02**

### **TYPE**

Legislation

### **BACKGROUND**

The Energy Policy Act of 2005 was signed into law on August 8, 2005. Contained within the Energy Policy Act is the Underground Storage Tank Compliance Act that focuses on preventing UST releases. This new law affects not only U.S. EPA's and ADEQ's UST programs, it also impacts all UST owners and operators.

The Act includes provisions regarding UST inspections, operator training, delivery prohibition, secondary containment and financial responsibility, and cleanup of leaks that contain oxygenated fuel additives, such as MTBE. Some of these provisions require implementation by August 2006.

### **CONTENT**

Arizona's plan for implementation of UST provisions, as mandated in the Federal Energy Policy Act of 2005.

See attached Summary

### **CONTACT:**

Ronald Kern at (602) 771-4242, or at (800) 234-5677 (extension 771-4242), or by email at [rak@azdeq.gov](mailto:rak@azdeq.gov).

# FEDERAL ENERGY BILL - ARIZONA IMPLEMENTATION PLAN UNDERGROUND STORAGE TANK COMPLIANCE ACT

**[Enactment Date: August 8, 2005]**

ACTION REQUIRED (MAIN REQUIREMENTS)	ACTION DATE
1) <u>Delivery Prohibition</u> : A) Publish guidelines with specific processes and procedures for determining fuel delivery eligibility and implementation. B) <u>Delivery Prohibition Roster</u> : List USTs ineligible for delivery; update monthly.	Aug 8, 2006  Aug 8, 2007
2) <u>Public Record</u> : Maintain and update annually a record of regulated USTs (releases, sources, causes; compliance record; number of equipment failures)	Sep 30, 2006
3) <u>Groundwater Protection (Either A or B)</u> A) New or replaced USTs or piping must have secondary containment and leak detection w/in 1,000 feet of existing drinking water system or potable drinking water well. New fuel dispensers must have under-dispenser containment if located similarly... <b>OR</b> ... B) UST system manufacturers and installers need FR to pay for corrective action costs; installers must be certified by the state; installations must be inspected and approved by the state.	Feb 8, 2007
4) <u>Compliance Report</u> : Submit report to EPA on compliance of federal, state, and local government-owned tanks (ID those not in compliance; date of last inspection; compliance measures)	Aug 8, 2007
5) <u>Inspections</u> : Inspect all existing USTs not inspected since 12/22/98.	Aug 8, 2007
6) <u>Inspections</u> : Inspect all USTs at least once every three (3) years.	Aug 8, 2008 (or within 3 years after completion of number 5 above)
7) <u>UST Operator Training</u> : Develop AZ-specific training requirements based on EPA guidelines w/in 2 years after EPA publishes guidelines (EPA deadline = August 8, 2007)	TBD
8) <u>Alternatives to Inspection Program</u> : EPA to study and report to Congress by action date.	Aug 8, 2009
9) <u>MTBE Remediation</u> : Oversee cleanup of oxygenate-containing fuel releases	After award of annual EPA/ADEQ cooperative agreements
10) <u>Outreach/Education</u> : Develop and issue prior to implementation dates	Prior to action dates